

MAY 18 2007



**Fitch, Even, Tabin & Flannery**  
*Intellectual Property Law*

One Lafayette Centre  
 1120 20<sup>th</sup> Street, NW, Suite 750 South  
 Washington, D.C. 20036  
 Phone: (202) 419-7000 Fax: (202) 419-7007

## FACSIMILE COVER SHEET

Date: May 18, 2007

To: USPTO  
 Fax: (571) 273-8300

Company: USPTO  
 Tel: (571) 272-3350 / (703) 308-9310

Total Number of Pages (including cover sheet): 4

From: Kendrew H. Colton  
 Fax: (202) 419-7007

Company: Fitch, Even, Tabin & Flannery  
 Tel: (202) 419-7000

**Message:**

The U.S. Patent and Trademark Office acknowledges the item(s) listed below:

Re: U.S. Patent Application No. 10/695,949  
 Inventors: Steve CRANE  
 Attorney Docket No.: 7373/80860

1. Request for Correction and Clarification of Papers
2. Page 1 regarding US Application No. 10/695,949
3. Page 2 regarding US Application No. 10/807,849

Respectfully submitted,

Kendrew H. Colton, Reg. No. 30,368

*Fitch, Even, Tabin & Flannery*  
 Customer No. 42798

This transmission is being sent by Chrystal Q. Camacho. Please call (202) 419-7014 if there is a problem with this transmission.

This transmission with its attachments is intended for the use of the individual or entity to which it is addressed, and may contain information that is **PRIVILEGED & CONFIDENTIAL**. If you are not the intended recipient and have received this transmission in error, you are hereby notified that any dissemination, distribution or copying of this communication is prohibited. Please notify the operator immediately by telephone and mail the original teleconfer message back to us. We will reimburse your first-class mail costs.

RECEIVED  
CENTRAL FAX CENTER 002  
**MAY 18 2007**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Steve CRANE**

Group Art Unit: 1732

**Application No.: 10/695,949**

**Examiner: Matthew J. Daniels**

**Filed: October 30, 2003**

**Attorney Docket No.: 7373/80860**

**Confirmation No. 6252**

**Customer No.: 42798**

**REQUEST FOR CORRECTION AND CLARIFICATION OF PAPERS MAILED ON OR**  
**ABOUT MAY 14, 2007**

Commissioner for Patents  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Please be advised that applicant's legal representative has received a two page document but the pages reflect misattachment and/or mismailing by the USPTO. Page 1 refers to US Application No. 10/695,949 whereas the second page refers to another unrelated application 10/807,849.

Applicant's counsel accordingly submits this paper with copies of the documents as mailed by the PTO together with a request for clarification, and furthermore re-mailing of the correct documents.

Respectfully submitted,

Fitch, Even, Tabin & Flannery




---

Kendrew H. Colton  
Registration No. 30,368  
Tel: (202) 419-7000  
Fax: (202) 419-7007

Date: May 18, 2007

**OFFICIAL CORRESPONDENCE TO**  
**Customer No. 42798**  
**FITCH, EVEN, TABIN & FLANNERY**  
One Lafayette Centre  
1120 20<sup>th</sup> Street NW  
Suite 750 South  
Washington, D.C. 20006

RECEIVED  
CENTRAL FAX CENTER 2003

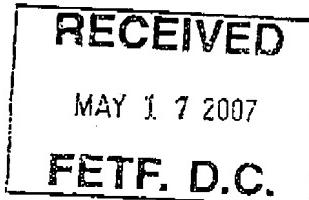
MAY 18 2007



## UNITED STATES PATENT AND TRADEMARK OFFICE

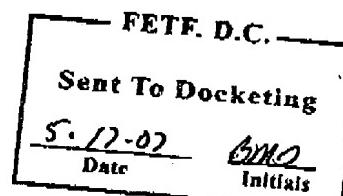
UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,949	10/30/2003	Steve Crane	7370/80860 7313	6252
42798	7590	05/14/2007		
FITCH, EVEN, TABIN & FLANNERY P. O. BOX 18415 WASHINGTON, DC 20036			EXAMINER	DANIELS, MATTHEW J
			ART UNIT	PAPER NUMBER
			1732	
			MAIL DATE	DELIVERY MODE
			05/14/2007	PAPER



Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



MAY 18 2007

<b>Notice of Abandonment</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/807,849	YAMASHITA ET AL.	
	Examiner	Art Unit	
	Monica A. Huson	1732	

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

This application is abandoned in view of:

1.  Applicant's failure to timely file a proper reply to the Office letter mailed on 03 November 2006.
  - (a)  A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b)  A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c)  A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d)  No reply has been received.
2.  Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a)  The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b)  The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c)  The issue fee and publication fee, if applicable, has not been received.
3.  Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a)  Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b)  No corrected drawings have been received.
4.  The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5.  The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6.  The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7.  The reason(s) below:

Monica Huson  
AM 1732

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.